

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 26846 of 2016 (O & M)
Date of Decision:-08.10.2018**

Kiran Tomar

...Petitioner

Versus

Lala Lajpat Rai University of Veterinary and Animal Sciences, Hisar
through its Registrar and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sumeet Goel, Advocate
for the petitioner.

Mr. D.S. Rawat, Advocate
for respondent No.1-University.

Mr. Rajesh K. Sheoran, Additional A.G., Haryana
for respondent No.2-State of Haryana.

Mr. Sudhir Nar, Advocate
for respondent Nos.3 and 4.

Mr. Sandeep Singh Sangwan, Advocate
for respondent No.5.

Mr. G.P.S. Bal, Advocate
for respondent Nos.6 and 7.

JASWANT SINGH J.(Oral)

Petitioner's daughter namely Vibha Tomar was the student of respondent No.6-Institute and was staying in the girls hostel. Her primary grievance was that the grown up son of Shri Bhupinder Singh Malik-respondent No.7-Chairman of the Trust was residing along with his family

on the same floor of the girls hostel and was using the same wash-rooms as the girls, thereby causing extreme embarrassment to the girls students. The prayer thus was for evicting the family of respondent No.7 from the girls hostel. Further a prayer has been made for permitting the petitioner to shift-migrate to some other recognized institute affiliated to the Veterinary Council of India-respondent No.4, failing which proceedings should be initiated for disaffiliating the institute.

During the period of previous hearing, a report had been submitted revealing that the said floor of the girls hostel was not occupied by the family members of Bhupinder Singh Malik-Chairman of the Trust/respondent No.7. The FIR lodged by the petitioner against the family members of respondent No.7 qua allegations of intimidation and harassment also led to the preparation of a cancellation report after investigation. However, the same was stated to be pending before the Illaqa Magistrate.

In the instant petition, some significant interim orders were passed including the one dated 16.07.2018, whereby *inter alia* a direction was issued for directing the institute to issue 'No Objection Certificate' to enable the student Vibha to seek migration under the ages of the Veterinary Council of India. Although the same was stated "not to be permitted", since the student had been admitted against the management quota seat and had not secured admission on the basis of a common merit.

The said interim order was challenged before the LPA Bench of this Court.

Another interim order dated 07.08.2018 supplemented by 10.08.2018 led to issuance of a conditional No Objection Certificate as the

Court had intended to let both the parties go their own ways with the objective of settling the issue amicably to secure the future prospect of student Vibha.

The matter was taken to the Hon'ble Supreme Court, and as per the counsel for the parties led to the passing of an order dated 12.09.2018, which reads as under :-

“Date : 12-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Jayant Sud, Sr. Adv.
Mr. Nar Hari Singh, Adv.
Ms. Jasleen Chahal, Adv.
Mr. Sashindra Tripathi, Adv.
Mr. Debasis Misra, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

ORDER

Heard the learned counsel for the parties. the special leave petition has been filed as against the impugned order, in which it was noted that college has issued the 'No Objection Certificate' only on the basis of the statement made in the High Court on behalf of the petitioner that they would be withdrawing all the proceedings against the college. That statement was withdrawn later on in the High Court. However, the statement is made again before this Court.

The petitioner Ms. Kiran Tomar (mother of Ms. Vibha Tomar) and Mr. Vijay Pal Singh Tomar have stated that they are withdrawing each and every

proceeding.

In view of the statement made by the petitioner and also by the learned counsel appearing for the petitioner, let all the cases filed against the college be treated as withdrawn including LPA, filed in the High Court.

In view of the aforesaid, No Objection Certificate issued can be used for getting admission in appropriate Institution.

Accordingly, this petition as well as other matters pending before the Courts below stand disposed of. 'No Objection Certificate' issued by the authority can be used for migration.

The Special Leave Petition as well as the applications, if any, stand disposed of.

Sd/
(B. PARVATHI)
COURT MASTER

Sd/
(JAGDISH CHANDER)
BRANCH OFFICER”

In view of the above, counsel for the parties are agreed that nothing more survives for adjudication and the same is dismissed as infructuous in view of the aforesaid order passed by the Hon'ble Supreme Court.

Disposed of as such.

October 08, 2018
Vijay Asija

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No